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A FEW BRIEF REMARKS  
ON THE RECENT LEGISLATION  
FOR THE COLLEGES AND THE  
UNIVERSITY OF CAMBRIDGE.

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In order clearly to understand the probable effects of the changes proposed by the new Statutes, in the Colleges and in the University of Cambridge, it appears desirable briefly to take a glance at the past.

In the year 1828 there were few men in the University who were deeply convinced of the necessity of amended codes of Statutes both for the Colleges and for the University. Many Statutes had fallen into disuse, some were impossible to be obeyed, and others were no longer adapted to the wants of the present age. It may be remarked that the general feeling of the ruling bodies was strongly opposed to any changes whatever in the existing state of the Colleges and the University.

In the answer to the address of the University of Cambridge, on the accession of Queen Victoria to the throne, Her Majesty was graciously pleased to intimate :—

“Your University owes much to the protection and encouragement of former Sovereigns. I am actuated by an equal desire to promote its interests, and to enlarge the sphere of its utility.”

In the year 1850 a Royal Commission was issued for enquiring into the state, discipline, studies and revenues of the University and Colleges of Cambridge; and in 1852 the Report was presented by command of Her Majesty to both Houses of Parliament.

The Commissioners concluded their Report in these words :—

“What above all other things gives us hope for the future good of Cambridge is the manly, free, and truth-loving character of her studies, and the uprightness of her administration, producing in return confidence and good-will on the part of those committed to her care. In all her members she believes that she possesses a body of men, who, strong in their historical remembrances, cling to what is truly good, would seek for no needless change, and would admit of no change which had not the promise of scientific, moral and religious benefit.”

These words of the Commissioners, recognizing the Cambridge of the past, regarded hopefully the Cambridge of the future, in anticipation of the changes necessary for the extension of the utility and the maintenance of the integrity of the Colleges and the University.

In consequence of this Report a Bill was introduced into the House of Commons to make further provision for the good government and extension of the University and Colleges of Cambridge. The Bill received the Royal assent in 1856, and the final Statutes became law, 31 July, 1858.

A body of eight Commissioners was appointed by the Act in conjunction with the Colleges and University to frame new Codes of Statutes. The Elizabethan Code of Statutes was repealed (sect. 41), but the powers and privileges both of the Colleges and of the University (sect. 49), which were not taken away by the Act, were continued in full force.

The declared object of the Act (sect. 27) was "to promote "useful Learning and Religious Education in the Colleges and "University, and the main designs of the Founders and Donors "so far as is consistent with these purposes."

It was provided (sect. 46) that Undergraduate Students, without being required to make any declaration of Religious Opinion or Belief, might hold College Scholarships and Exhibitions, and (sect. 45) be admitted to degrees. But no one was entitled by any degree to be a member of the Senate, or to hold any office hitherto held by a member of the Church of England, without a declaration of *bonâ fide* membership.

The new Statutes recognised the integrity of individual Colleges and their connexion with the Church of England, and consistently provided that members of the Church of England only were fit persons to constitute the governing bodies of Colleges, founded and endowed by Churchmen.

In the year 1871, the Universities Tests Act was passed, the design of which at the time was generally understood to be to extend section 46 of the Cambridge Act of 1856, so as to admit to membership of the Senate and to College Fellowships, and their emoluments deserving Students who were not members of the Church of England; but at the same time, by proper



safeguards, to secure the integrity of the Colleges as places of Learning and the Religion of the Church of England.

The 4th Section of the Tests Act provides—

“Nothing in this Act shall interfere with the system of Religious instruction, worship, and discipline, established in Colleges, or with the Statutes relating thereto.”

All lectures on Religion and Morals in the Colleges and the University have hitherto been in accordance with the doctrine of the Church of England; and, how competent soever a Dissenter may be to lecture and teach the Classics and Mathematical Sciences, such a person cannot be considered a suitable and properly qualified person to instruct the youthful members of the Church of England in subjects connected with “Religious Education.”

The Act makes and implies a marked distinction between persons who are and persons who are not members of the Church of England. And it may be questioned whether in relieving persons from oaths and declarations, respecting religious belief, it was intended to relieve members of the Church of England from making the ordinary declaration on their election to fellowships, which had been customary from ancient times. It did not relieve all.

A case has occurred of a layman who on his election to a Fellowship had not declared himself a member of the Church of England. But, when the option of the office of Dean of the College Chapel fell to him, he took the office and received the emolument. Such an anomaly could not have been intended by the Legislature, nor even considered possible, so long as the Constitution of Church and State exists in England.

In admitting persons not members of the Church of England to become Fellows of Colleges, it can scarcely be deemed to have been the design of the Legislature to admit persons to be members of the governing bodies of Colleges who are either unfriendly or violently hostile to the very existence of the Church of England. In future the regulation of the Chapel services will be under a body who may be all Dissenters or not even Christians at all. It is well known that such persons do exist at Cambridge, who are connected with an organization

called "The Liberation Society," who have formed a Scheme, and are working it out for the disestablishment and disendowment of the Church of England. The late Hulsean Lecturer in one of his discourses from the University pulpit, last Michaelmas Term, uttered the following solemn warning to the University. This Scheme\* we are told "has been prepared after the gravest deliberation. A special Committee spent two years in preparing it. They consider it feasible and just. They have the will to carry it out, and they are now making the utmost efforts to secure the power.

"A central body in London well supplied with funds—no less than £14,000 a year; the country mapped out into districts, each under a trained and salaried superintendent; local committees, private conferences, public lectures; newspaper paragraphs, opposition, in parliament and out, to Church improvements; parading of Dissenting grievances; making the most of churchmen's mistakes; diligent and successful collection of funds;—these are specimens of the Society's daily occupations. Even country villages are deluged with misleading tracts; parcels of immaterial dynamite, ready to explode at some not distant general election, when the power of destruction being placed in the hands of such as know not what they do, a single crash may bring down to gratify the social jealousies of a clique, what it has taken the piety of a nation, through twelve centuries, to erect and adorn."

It is not improbable that there are agents of this society among us, as a Cambridge paper some months since reported that a meeting was held at a Fellow's College rooms to promote the objects of the Liberation Society. It may also be noted that a fly-sheet was thrown out by a Tutor of a College some time since, in which he expressed his opinion, that the time had arrived when students should be exempted at the Previous Examination from an examination in one of the Greek Gospels and in the Evidences of Christianity.

When the question of amending the Statutes of Colleges and the University was first moved, it was deemed necessary

\* The Hulsean Lectures for the year 1881, by Joseph Foxley, M.A., Second Edition, p. 43. Longmans, London.

that the Legislature should be fully informed respecting the revenues of Colleges and how they were applied. Some Colleges were disinclined to give this information to the Royal Commission of 1850. After the issue of the Report, Lord Palmerston's letter failed to elicit the full information required. In framing the new Statutes under the Act of 1856, College revenues and their uses could not be satisfactorily revised and suitable amendments introduced. In consequence, it was clearly foreseen by judicious men here, that at no very distant period the subject of College revenues and their uses would be brought under the consideration of the Legislature, and their ancient uses amended to meet the necessities and requirements of modern times.

In the year 1872 a Royal Commission was issued for inquiring into the Property and Income of the Universities of Oxford and Cambridge. The Commissioners made their Report in the year 1874, and it was presented by command of her Majesty to both Houses of Parliament. The Report exhibits full and complete returns of the revenues both of the Colleges and of the University, and the application of the revenues, but adds no recommendations.

In order to complete the necessary reforms which, for want of this information, were not embodied in the Statutes made under the Act of 1856, a Bill was introduced into the House of Lords, and it received the Royal assent on August 10, 1877.

The Preamble of the Universities of Oxford and Cambridge Act opens with the Statement—*that the revenues of the University are not adequate to the full discharge of the duties incumbent on it.*

In reference to this assertion, it may be stated, that the Matriculations in 1862 were 407, Degrees conferred 618, and the ordinary revenue of the year reported in 1863 was £13,652, and the ordinary expenditure £13,450. In 1881 the Matriculations were 806, Degrees conferred 1020; and the ordinary income of the year £22,523, and the expenditure £21,519.

There were besides Exchequer Bills held by the Vice-Chancellor for various University purposes amounting to £14,200. And during the last 16 years 6 New Professorships

have been founded and endowed by the University. The payments to these Professors are charged on the University Chest, amounting in all to £2000 a year, probably more.

Section 19 of the Act directs the Commissioners to take into account any prospective increase of the revenues of a College or the University, and to make provision for the application of such increase.

In the eloquent speech with which the Oxford and Cambridge Universities Bill was introduced into the House of Lords, a large increase of College revenues was confidently prophesied, but the probability of any possible diminution of College revenues was not even suspected. Since the Act received the Royal assent, very serious and unexpected changes have taken place in the rent of farms. Almost all the Colleges in Cambridge are suffering considerable diminution of income, with no prospect or hope of amendment in the future.

As instances, I may state that the Bursar of St. John's College has informed me that he now receives £200 a year rental of a farm which used in past years to pay £300 a year.

The Bursar of Jesus College assured me that he had to consent to receive £100 instead of £200 a year, which latter rent the tenant declared he could not pay and live. Some of the Colleges have their farms thrown on their hands, and the Bursars, not being able to find tenants, are attempting to keep them in cultivation.

I am informed by one of the Professors in Downing College that most of their farms are thus thrown on their hands, and that the Bursar is directing the cultivation of them, also that the revenues from these lands have been diminished by one-half of what they used to be formerly.

So also for University lands. A farm which used to supply the chief part of the income of one of the Professors was given up by the tenant, and a suitable successor could not be found. To stock this farm and keep it in cultivation, the University has employed £4,000, but there are serious grounds for apprehension that the course which has been adopted will not be followed by the success desired. The supplies of wheat and other grain from the Colonies and from

Foreign Countries have been so ample that the prices are reduced too low to leave a sufficient margin for profit on wheat grown in this country, where expensive manures are required for the culture of the soil. And further, since the repeal of the Malt Tax, brewers make use of other materials cheaper than malt, and thus the prospects of the farmers are not amended.

Section 35 of the Act declares that the Commissioners *may require* from Colleges and the University any information relating to the revenues, statutes, usages or practice thereof, and, generally, may send for persons, papers and records.

If the information derived from these sources had been obtained and duly considered, needful changes and wholesome reforms might have been embodied in the New College Statutes, and the Colleges maintained in their integrity.

Section 36 provides that each College may choose three persons to act as Commissioners with the other seven Commissioners in making the Statutes for their College. The mode in which the provision was carried out was this; that at the meetings of the College Commissioners and the other Commissioners, the latter produced the Statutes they had made, but did not allow any alterations or amendments to be offered in any case by the three College Commissioners in the final settlement of the Statutes for their respective Colleges. As Dr. Ferrers justly remarked in his sermon before the University on Easter-day, "But, the course actually adopted has had the effect "of forcing upon all Colleges the acceptance of a Procrustean "scheme, thus reducing the Colleges to silence, and neutralizing "one of the chief provisions of the Legislature."

Section 59 ordains that no College shall endow an office of an Ecclesiastical or Theological character by means of any portion of the revenues of the College. This is a very singular decree for Institutions founded and endowed by Christians, and designed to be places of Sound Learning combined with Religious Education. It is possible there may be some oversight or omission in the words of this Section. To interdict payments for Theological or Ecclesiastical uses from the revenues of Colleges is, in fact, to declare that the

Colleges shall no longer be considered as Christian Institutions connected with the Established Church, but left to be swept away by the Scheme of the Liberation Society, which is devoting its energies to the disestablishment and disendowment of the Church of England.

The 16th Section of the Act proposes to take away from Colleges a considerable portion of their revenues, and to hand over the amount to the University to make provision for various purposes. The Universities and Colleges of Oxford and Cambridge are peculiar Institutions, unlike any other Educational Institutions in the world. It cannot be denied that some changes and reforms are needed to meet the wants of modern times, but only such as tend to increase the usefulness of these venerable Institutions and maintain their integrity.

The Scheme laid down in the proposed University Statutes means no less than a revolution and the destruction of the existing system by the introduction of another more in accordance with the Foreign Universities.

It is proposed to take from the College Revenues FIXED SUMS FROM VARIABLE INCOMES, not less than £8000 nor more than £10,000 for the year 1882, and increasing amounts in successive years, until the amount shall not be less than £20,000 nor more than £25,000 as the yearly payment.

Although the Masters and Fellows of Colleges constitute the governing, or rather the administrative bodies, they are neither the owners nor the proprietors of the property they administer. They are, in fact, simply Trustees, enjoying a beneficial interest in the property which they hold, and which, as Trustees, they are bound to hand down to their successors in its integrity. Masters and Fellows of Colleges, being legally Trustees, may be called upon by the Legislature to render an account of the property they hold, and of the manner in which the revenues are annually distributed. In cases of settled property, the powers of the Legislature are limited to correcting abuses, and removing anomalies, by enacting new laws to secure the objects for which the property was settled.

So long as the uses of Endowments are beneficial to the classes of the community for which they were designed, and are not disadvantageous to the State or any class of society, it is a deep wrong and robbery to employ them for other uses.

In the times of King Henry VIII., when the Endowments of Monastic Institutions were found to be injurious, the State could properly and justly interfere with the application of their revenues and apply them to other uses. There exist no such reasons for interfering with the revenues settled upon the Colleges of Cambridge, by taking from them large portions of their revenues and handing them over to another party for various purposes. To transfer property settled for lawful and useful purposes from one party to another without an equivalent, is an invasion of the rights of property, which are secured by laws still in force. In times of peace it is neither wise nor safe to introduce into legislation a principle which heretofore has not been put into practice except in times of conquest and revolution. If such a principle be permitted to stand in any Acts of Parliament, it is impossible to foretell whether the rights of property settled by conquest or revolution, or even by Royal gift, can stand long unquestioned.

The 15th Section of the Act provides that in the making of Statutes for a College, regard shall be had to the interests of Education, Religion, Learning, and Research, and regard shall be had in the first instance to the maintenance of the College for these purposes.

Religion has been dealt with in the New propositions in such a manner as to provide for its extinction. All the former restrictions have been removed. No mention is made anywhere of the nature of the provisions for religion, as of "persons" for chaplains, and "persons" for teachers of religion, but the control of religious services, sermons and religious teaching have been placed in the hands of the new governing bodies of Colleges, which may consist of persons who are or who are not members of the Church of England, but even of persons of any or no religious belief whatever.

The present system at Cambridge reserves *the teaching powers* in the Colleges, under tutors, lecturers and the subsidiary aids

of private teaching, and places *the examining powers* in the University.

The Section ostensibly provides for the maintenance and the integrity of the Colleges; but the proposed Statutes for the University clearly transfer the teaching powers from the Colleges to the University under bodies of Professors, Lecturers, and Readers, who are to be paid for their services, and on retirement, pensioned from the spoils of College Revenues.

If the fixed endowments of Colleges become liable to spoliation by Act of Parliament, the generous streams of private bounty will cease to flow, as in past generations, to augment the revenues and extend the utility of Colleges, and there is an end to all future endowments. The greater part of the College endowments have been made since the Reformation. Of the yearly revenues of the existing Colleges, taking Gonville College as an example, the Commissioners of King Henry VIII. reported its yearly revenue to be £119. 19s. 5½d. In a paper printed in 1871 by Dr. Guest, the late Master, he writes—"Of our present income I find nearly £6000 a year derived from endowments given us since the Reformation; of our thirty-two Fellowships, twenty were founded since the year 1558, and nearly the whole of our Scholarships; our valuable library has been gradually accumulated since that date, and within the last twenty years we have nearly re-built our College." A like account might be given of the endowments of other Colleges.

To introduce the professorial system would be a retrograde step in the intellectual life of the University of Cambridge. Such studies as are here regarded as disciplinal cannot be taught by lectures, and students themselves are fully aware of it. They know that they can acquire from books more exact and perfect knowledge for examinations than they can by attending as passive auditors the most elaborate lectures. It was recently remarked by one of our ablest lecturers in a large College, that though he took considerable pains in preparing his lectures, he found that the students who were his private pupils preferred to attend his private teaching to his public lectures. And last Lent Term one of the most eminent of our Professors had not



a single student to attend a course of Lectures, of which he had previously given public notice. The truth is simply this—that, as there are excellent books on all subjects of study, students find that private reading is a better preparation for success than Professors' lectures. The same ideas prevail at Oxford, where more than one popular College tutor, whose lectures were well attended in their Colleges, found their attendance at once fall off when they were made Professors.

The lectures of Professors are highly useful in communicating information, and in giving students an outline of the best course of study on any subject, as also in the case of those Professors who have to teach by showing experiments which require expensive apparatus.

It may be remarked that students of the highest acquirements in any Science or department of Literature do not always become the best and most effective teachers. Experience has shewn that such persons may be utterly incompetent to adapt their knowledge to the capacity of minds of a lower character than their own. If a Professor or Teacher has not skill to make the subject of his instruction interesting to learners, and tact to adapt his knowledge to minds of different capacities, he does not possess one of the first essential requisites of a teacher. It is a delusion to imagine that correct habits of thinking can be created, or exact knowledge acquired, by the mere passive attendance on Lectures, however excellent. Class teaching may be useful, if catechetical, or useless, or even worse than useless, if not so.

There is a large class of ordinary minds which are so constituted that they must be taught individually, if ever they are to be able to draw inductions from facts, or to comprehend principles and apply them with exactness. There can scarcely be a more effective process for producing disgust in the mind of a student of inferior powers or defective education than compelling him to attend lectures from which he can derive no advantage. Such an one requires more careful attention and more judicious treatment from the physician of the mind than others whose mental condition is more vigorous.

It appears a very questionable course of policy to increase

the number and augment the incomes of Professors, whether useful or ornamental, when their services are not required by the great body of the students. It is more probable that Professors without auditors are almost certain to degenerate into dormant professors and their offices into comfortable sinecures. It is also to be apprehended that Professorships combined with College Fellowships under the changed conditions of College life may be productive of anomalies and abuses that have not as yet been foreseen.

Under the powers of the Cambridge Act of 1856 the smaller Scholarships and Exhibitions of most Colleges were consolidated and converted into Minor Scholarships and thrown open to Public Competition without any restrictions. The natural result has followed, that these Minor Scholarships have been and still are carried off by Students whose parents have been able to give their sons a superior education, while those not so favoured are entirely deprived of them. It must not be forgotten that these benefactions were in most cases designed to aid Students of Cambridge preparing for Holy Orders. The increasing demand for able and qualified men for the Ministry of the Church, both at home and in the Colonies, the Colleges of Cambridge have not been able to supply as formerly.

Not long since it was found by calculation that no less than one-third of the men ordained every year were without any Academical Degree. If this practice continue, it is to be feared, that larger numbers will be Ordained without an Academical Education, and, as a consequence, the Order of Clergy of the Church of England must become deteriorated. Symptoms of this tendency are already apparent in the feeble powers exhibited in too many pulpits of the Church of England. If these smaller benefactions had not been converted, but retained and applied to the uses for which they were originally designed, more needy Students might have been admitted as Members of Colleges, and have received the helps which the forethought of our predecessors had provided for them.

And with reference to the surplus revenues of Colleges, the increased demands on the Colleges present ample opportunities

for the employment of any surplus in the carrying out more completely the designs of their founders and benefactors.

The original design of all or nearly all the Colleges requires that a suitable provision should be made for the succession of a fixed number of Fellows in Holy Orders.

An increased number of promising students of scanty means might be educated if more extended pecuniary assistance were rendered to such students.

A considerable amount of such surplus might be usefully employed in the payment of teachers, who are competent to teach, and able to render individual attention to students whose inferior capacity or acquirements (of which the number is great) require such assistance.

In his ungracious task, the writer forbears to add further remarks, and in conclusion begs leave to submit for serious consideration the following two questions from the discourse of Dr. Ferrers, on the proposed changes:—

“Has the leading idea been that of adapting existing Institutions to modern requirements, of retaining the main features of our system intact, while facilities are given for the developement of its energies in new directions, of so modifying the structure of our body politic, that while its powers are renovated and increased, it shall not lose its identity?”

“Or, has the apparent object been to disregard the old landmarks, and to rear on the ruins of the Cambridge which we have known, an edifice more symmetrical, it may be, but dissociated from the memories of the past, and so deprived of that hold on the affection of all classes of its members, and the guarantee of stability from thence resulting which a connexion with those memories would secure?”











